THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.9294 OF 2006

DATED: 29-03-2007

Between:

P.Veera Sangappa

. . .Petitioner

and

State of AP and others

. . .Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

–

–

WRIT PETITION No.9294 OF 2006

–

O R D E R:

The case of the petitioner is that on a private complaint filed by him under Section 200 Cr.P.C. before the Judicial First Class Magistrate, Pargi against unofficial respondents, the same was forwarded to the police under Section 156(3) Cr.P.C. His grievance is that the police are not taking any action against the unofficial respondents.

The second respondent filed counter affidavit, in which, it is stated that on receipt of a complaint, dated 05.04.2006, from the petitioner alleging that he was beaten by the unofficial respondents, the police registered it as a case in Crime No.70 of 2006 for the offence punishable under Sections 323 and 506 read with Section 34 IPC on 05.04.2006 and after completion of investigation, charge sheet was filed on the file of the Judicial First Class Magistrate, Pargi on 06.06.2006 vide C.C.No.305 of 2006 and the same is pending trial. It is further stated that insofar as the private complaint filed by the petitioner under Section 200 Cr.P.C. is concerned, the same was forwarded to the second respondent under Section 156(3) Cr.P.C. for enquiry and report, upon which, Crime No.89 of 2006 was registered for the offences under Sections 307, 364, 384 read with 34 IPC and Section 25 of Indian Arms Act. After investigation, the complaint was found as

false and accordingly, final report was filed before the learned Judicial First Class Magistrate, Pargi, on 23.10.2006.

Having regard to the above, I am of the opinion that if the petitioner is aggrieved by the said final report, it is always open for him to file protest application or take appropriate action by filing a private complaint. Insofar as the grievance of the petitioner that no action has been taken by the police in regard to Crime No.70 of 2006 is concerned, charge sheet has already been filed, and therefore, no further orders are required to be passed.

The writ petition is accordingly dismissed. No costs.

_____

V.ESWARAIAH, J

29th MARCH, 2007.

kvni